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MAR 28 2008

PATENT
Docket No. 56842US002

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): MITTLESTADT et al.)	Group Art Unit:	3772
)		
Serial No.: 09/888,943)	Examiner:	Nihir B. Patel
Confirmation No.: 9282)		
)		
Filed: 25 June 2001)		
)		
For: RESPIRATOR VALVE)		

RESPONSE

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

As discussed below, Applicants request reconsideration and withdrawal of the rejections set forth in the Office Action dated 29 November 2007.

Status of the Claims

The pending claims are claims 27-47 and 49-71. Rejected claims 27-47 and 49-71 are the subject of this request.

Reconsideration is requested for the following reasons:

Applicants submit that clear errors, as discussed below, exist in the Examiner's rejection, and/or the Examiner's omission of one or more essential elements needed for a *prima facie* anticipation rejection.

Claims 28, 38, and 48-50 were rejected on the ground of non-statutory obvious-type double patenting as being unpatentable over claims 13-16 and 26 of U.S. Patent No. 6883, 518. Upon an indication of otherwise allowable subject matter and in the event this rejection is maintained, Applicants will provide an appropriate response.